

1 **CHARFAUROS\_A.gar9**

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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF GUAM

11 UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO. 01-00108
	)	
12 Plaintiff,	)	
	)	
13 vs.	)	
	)	
14 ANNIE MARIE Q. CHARFAUROS,	)	<b>FINAL ORDER IN</b>
	)	<b>CONTINUING GARNISHMENT</b>
15 Defendant,	)	
	)	
16 WENDY'S OLD FASHIONED	)	
17 HAMBURGERS OF GUAM LLC.,	)	
	)	
18 Garnishee.	)	
	)	

19  
20 FINAL ORDER IN CONTINUING GARNISHMENT

21 This matter is before the Court for consideration of the entry of a final order in  
22 continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act  
23 of 1990, 28 U.S.C. § 3205, against the non-exempt earnings of the judgment defendant, ANNIE  
24 MARIE Q. CHARFAUROS. An Application of Writ of Continuing Garnishment directed to  
25 Garnishee has been duly issued and served upon the Garnishee. Pursuant to the Writ of  
26 Continuing Garnishment, the Garnishee filed an Answer stating that at the time of the service of  
27 the Writ it had in its possession or under its control personal property belonging to and due  
28 defendant, in the form of earnings.

1 The defendant was served with a copy of the Writ of Continuing Garnishment and  
2 notified of her right to a hearing. The defendant has not requested a hearing to determine exempt  
3 property.

4 Whereupon the Court, having considered the Application for a Writ of Continuing  
5 Garnishment against the earnings of the Defendant, the Answer of the Garnishee, and noting that  
6 the defendant, ANNIE MARIE Q. CHARFAUROS, has not exercised her right to request a  
7 hearing now finds that the entry of a final order of continuing garnishment is in all respects  
8 proper.

9 IT IS THEREFORE ORDERED Garnishee shall pay to plaintiff the lesser of a) 25% for  
10 any workweek, pursuant to 15 U.S.C. § 1673(a), of defendant's disposable earnings or b) the  
11 amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly  
12 wage. "Disposable earnings" are those earnings remaining after deductions of any amount  
13 required by law to be withheld, such as social security and withholding taxes. These payments  
14 shall be made at the same time the employee is paid and shall continue until the debt to the  
15 plaintiff is paid in full or the Garnishee no longer has custody, possession or control of any  
16 property belonging to the debtor or until further Order of this Court. Payments shall be made  
17 payable to the **"Clerk, U.S. District Court of Guam"** and sent to the U.S. District Court of  
18 Guam, 4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagåtña, Guam 96910.

19 IT IS FURTHER ORDERED that any amounts which the Garnishee may be holding  
20 pursuant to the Writ of Continuing Garnishment shall immediately be turned over to the Clerk,  
21 U.S. District of Guam, 4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagåtña, Guam  
22 96910.



/s/ Frances M. Tydingco-Gatewood  
Chief Judge  
Dated: Mar 19, 2007